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Appl. No. 09/334,327
Amdt. dated February 8, 2006
Reply to the Office Action of January 25, 2006

REMARKS/ARGUMENTS

Claims 40-57 remain in the application. Claim 42 has been amended to incorporate claim 40 and make it an independent claim. Claims 43-57 depend on claim 42, and claim 41 depends on claim 40.

The Examiner has indicated that claims 42-57 were objectionable because they depended on rejected claim 40.

It is respectfully submitted that claims 42-57 are in condition for allowance because of the amendment to claim 42 herein.

Th Examiner has rejected claims 40-41 under 35 U.S.C. § 103(a) due to Presnell et al. in view of Pollack. The Examiner reasoned that col. 16, lines 46-53 incorporate ratings in subsequent relevancy calculations to increase the accuracy of a query. See page 3, lines 11-13.

It is respectfully pointed out that Presnell et al. at lines 46-53 states:

Referring to FIG. 15, when a user chooses to rate a document, a list of knowledge profiles 360 relevant to the document is displayed 361 for the user to select one 362. the current user rating (if any) for the selected profile is displayed and the user can then nominate 363 a new rating for the document. The new rating, or "user score", is then saved 364 against the selected knowledge profile back in the knowledge base in the document reviewed. (emphasis added)

Presnell et al. is not making a relevancy calculation using the new rating, but is saving the new rating against the previous selected knowledge profile in the knowledge base for the document.

In contrast, the method in claim 40 receives the rating from the user and calculates the

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relevancy based on the new rating received. Hence, the method claimed in claim 40 could change the relevancy whereas Presnell et al. merely saves the additional rating without any possible change.

The Examiner cited Pollack for showing the use of a script to incorporate ratings of relevancy. The Examiner cited Col. 3, lines 46-53.

The cited portion from Pollack states:

The method may further comprise steps of receiving user feedback from one of the plurality of users and modifying the user's profile in the plurality of user profiles database based on the user feedback. (emphasis added)

Thus, no new calculation of relevancy is made for the plurality of users or the user. Instead, the feedback for a particular user is inserted in the database.

Hence, neither Presnell et al. or Pollack show or suggest alone or in combination the invention as claimed in claim 40. Accordingly, claims 40-41 are allowable.

Respectfully submitted,



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February 8, 2006
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